



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 2, 2015

TO: Hearing Officer

FROM: Anthony Curzi *AC*  
Zoning Permits North Section

**PROJECT NO. 2015-00969-(5) – NCR NO. 201500002 – HEARING OFFICER MEETING JULY 7, 2015 – AGENDA ITEM NO. 5**

The above-referenced project is a request for a nonconforming review to allow the continued operation and maintenance an Arco automobile service station in the R-3 (Limited Multiple Residence) Zone in the unincorporated community of Altadena.

Enclosed please find a letter in support of the Project and updated Draft Findings.

If you need further information, please contact Anthony Curzi at (213) 974-6443 or [acurzi@planning.lacounty.gov](mailto:acurzi@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:AMC

## **Anthony Curzi**

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**From:** Lavette Teague [lcteague@dslextre.me.com]  
**Sent:** Tuesday, June 30, 2015 8:35 AM  
**To:** Anthony Curzi  
**Subject:** Project R2015-00969-(5)

**Re:** Project R2015-00969-(5)

**Attn:** Mr Anthony Curzi , Case Planner

I write to strongly support the continuation of the operation and maintenance of the ARCO service station at 1633 North Altadena Drive in Altadena.

I have lived a half-block away, at 1696 North Altadena Drive, since 1982. The ARCO station is an asset to the neighborhood. The employees are friendly and helpful. The property is kept very clean and neat, and is well maintained, with attractive planting. I never hear any noise from the repair garage, even when I am on the premises to purchase gasoline.

The closest alternative service station to me is located at least a mile away and not in a direct path of travel for my normal daily activities. If the ARCO station closes, I would have to use extra fuel at this time when energy conservation is important. I am sure that many people who live north of Altadena Drive would be negatively affected even more.

The ARCO station has been a good neighbor for many years. I am very much in favor of permitting it to continue to operate in the future.

(Mr) Lavette Teague

1696 North Altadena Drive  
Altadena, California 91001

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-00969-(5)  
NONCONFORMING REVIEW NO. 201500002**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Nonconforming Review No. 201500002 ("NCR") on July 7, 2015.
2. The permittee, 1633 Altadena LLC ("permittee"), requests the NCR to continue the operation and maintenance of an Arco automobile service station ("Project") on a property located at 1633 North Altadena Drive in the unincorporated community of Altadena ("Project Site") in the R-3 (Limited Multiple Residence) Zone pursuant to Los Angeles County Code ("County Code") section 26.56.1550.
3. The Project Site is 0.46 acres in size and consists of three legal lots. The Project Site is rectangular in shape with flat topography and is developed with the Arco automobile service station.
4. The Project Site is located in the Altadena Zoned District and is currently zoned R-3.
5. The Project Site is located within the LD (Low Density) land use category of the Altadena Community Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: R-1-7,500 (Single Family Residence – 7,500 Square Foot Minimum Required Lot Area)
  - South: R-3
  - East: R-1-7,500
  - West: R-1-7,500
7. Surrounding land uses within a 500-foot radius include:
  - North: Single-family residences
  - South: Multi- and single-family residences
  - East: Single-family residences
  - West: Single-family residences
8. The automobile service station was originally constructed in 1949 when the Project Site was zoned C-2 (Neighborhood Business), and the Project Site was rezoned R-3 on May 9, 1950 by Ordinance No. 5541. Zone Exception Case No. 7813 established the current service station in 1965 when the original service station was demolished. NCR 00-179-(5) reauthorized the use on February 20, 2001 until January 23, 2016. The Altadena Community Standards District (CSD) was adopted on August 11, 1998 by Ordinance No. 98-0043.

9. The site plan for the Project depicts the subject property with the Arco automobile service station located at the southwest intersection of New York Drive and Altadena Drive. Four driveways are depicted, two each on New York Drive and Altadena Drive. The driveways are separated with landscaped buffers. Eight gasoline dispensing pumps, four each under two canopies, are depicted. One canopy is near New York Drive and the other canopy is near Altadena Drive.

The building housing the garage, office, and convenience market is depicted in the center of the property and measures 26 feet, 2 inches by 55 feet, 9 inches. The disabled parking space with eight-foot loading buffer is depicted immediately to the north of this building. Nine parking spaces are depicted along the southern property line, and seven parking spaces are depicted along the western property line. North, south, east, and west elevations of the building are also depicted.

10. The Project Site is accessible via Altadena Drive to the east. Primary access to the Project Site will be via an entrance/exit on Altadena Drive. Secondary access to the Project Site will be via an entrance/exit on New York Drive.
11. The Project will provide a total of 17 parking spaces, including one disabled-accessible space.
12. No comments from County Departments were received.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued operation and maintenance of an existing automobile service station with no expansion of use beyond that which previously existed.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. A letter in support of the Project was received.
16. *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Project Site is located within the LD (Low Density) land use category of the Altadena Community Plan ("Community Plan"). This designation is intended for single-family residences and other similar types of low-intensity housing with densities ranging from 1.0 to 6.0 dwelling units per acre. The service station was established before the adoption of the Community Plan, but it does provide an important service in the neighborhood, is not intrusive in its design, and does not cause nuisances in its operation. The Hearing Officer finds that the project, therefore, consistent with the permitted uses of the underlying land use category.

18. The Hearing Officer finds that R-3 Zones do not permit automobile service stations, either as a permitted or a discretionary use. Therefore, there are no zone development standards that are applicable to the use.

19. The Hearing Officer finds that while there are CSD development standards pertaining to properties in the R-3 Zone regarding height limits, side yards, and landscaping, they are applicable to residential uses like apartment houses. In any case the Arco service station was constructed before the adoption of the Altadena CSD. Therefore, the CSD regulations are not applicable to the existing use.

20. The automobile service station has been maintained in excellent condition through the years and its design and operation is compatible with the neighborhood. The facility provides an important service and convenience to the community, and has not caused a nuisance to the area.

Therefore, the Hearing Officer finds that to require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.

21. The automobile service station has existed for decades at the subject site. It is well-buffered from neighboring residential uses and is located at the intersection of two major thoroughfares. No expansions or modifications are requested and the use will continue to operate as it has been.

Therefore, the Hearing Officer finds that the use will not adversely affect the health, peace or welfare of persons residing or working in the surrounding area.

22. The automobile service station is well-buffered from nearby residential uses and does not negatively affect neighboring properties.

Therefore, the Hearing Officer finds that the use will not be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site.

23. The automobile service station was legally established at the subject site when the property was commercially zoned. Its location at the intersection of two major thoroughfares insures that the use does not negatively impact others

Therefore, the Hearing Officer finds that the use will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

24. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the NCR to 16 years, one year over the typical grant term, because the applicant applied one year early for the permit.

25. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at a library located in the vicinity of Altadena community. On May 27, 2015, a total of 295 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as three notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.
26. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. That to require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
- C. The proposed use at the site will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
- D. The proposed use at the site the use will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Nonconforming Review No. 201500002, subject to the attached findings and conditions.

**ACTION DATE: July 7, 2015**

RG:AMC  
July 2, 2015

c: Zoning Enforcement, Building and Safety